

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:06-CR-97
)	(PHILLIPS/GUYTON)
ARNOLD R. SCHMID and)	
KATHLEEN SCHMID,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case came before the Court on November 14, 2006, for a hearing on the defendants' Joint Motion For Pre-Trial Release [Doc. 18]. Assistant United States Attorneys Dean Secor and Jay Nanavati were present for the government. Attorney Richard Gaines was present for the defendant Arnold Schmid. Attorneys Ralph Harwell and Tracy Smith were present for the defendant Kathleen Schmid. The defendants also were present.

Based on the arguments of counsel, the pleadings and affidavits filed in support of the Motion [Doc. 18], the government's opposition thereto and the entire record in this case, the Court finds that there is a serious risk that the defendants will not appear for trial, and further, that no condition or combination of conditions will reasonably assure the presence of the defendants for future Court appearances, if the defendants were to be released on bond. Accordingly, the said

Motion [Doc. 18] is not well-taken, and therefore, must be **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge